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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Cao *et al.*

Confirmation No.: 5365

Application No.: 10/543,033

Art Unit: 1637

Filed: January 21, 2004

Examiner: Mummert, Stephanie Kane

For: METHODS FOR IDENTIFYING COMPOUNDS THAT
MODULATE UNTRANSLATED REGION-
DEPENDENT GENE EXPRESSION AND METHODS
OF USING THE SAME

Attorney Docket No.: 10589-012-999

**RESPONSE TO RESTRICTION REQUIREMENT
& PRELIMINARY AMENDMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed May 16, 2008, in which the Examiner imposed a restriction requirement, and in accordance with the Rules of Practice, please consider the following remarks.

Applicants submit concurrently herewith (i) a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for five (5) months from June 16, 2008 up to and including Sunday, November 16, 2008, with provision authorizing payment of the required fees; (ii) a Fee Transmittal sheet; and (iii) a Supplemental Information Disclosure Statement, including a List of References Cited by Applicants and a copy of References B08-B10 to C193-C227.

It is estimated that there are no additional fees in connection with filing this response. However, should the Patent Office determine otherwise, the Patent Office is authorized to charge any required fee to Jones Day Deposit Account No. 503013.

Amendments to the Claims are reflected in the Listing of Claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.